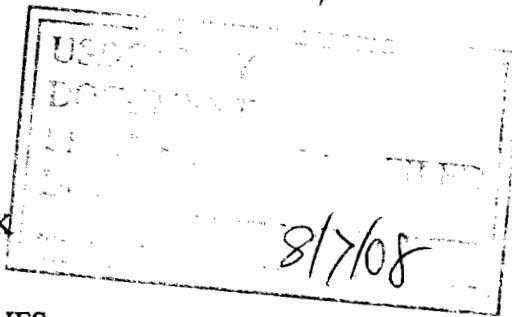


S PRIZZO/J



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

No. 08-CV-3659-JES

DAVID M. MILCH, Individually and as
Custodian for JASON ADAM MILCH, and
On Behalf of All Others Similarly Situated,

Plaintiffs,

v.

THE GOLDMAN SACHS GROUP, INC.
and GOLDMAN, SACHS & CO.,

Defendants.

STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between the
attorneys for the undersigned parties to this action, as follows:

The time for Defendants to answer, move against or otherwise respond to
the complaint in this action is extended from August 4, 2008 through and including the
later of sixty (60) days after (i) the appointment of lead Plaintiff's counsel in this action
or (ii) the service and filing of an amended complaint in this action. Plaintiff shall notify
Defendants within 10 days of the appointment of lead Plaintiff's counsel whether
Plaintiff intends to file an amended complaint.

There has been no previous request for an extension of time in this action.

Dated: New York, New York
August 4, 2008

GLANCY BINKOW & GOLDBERG LLP

SULLIVAN & CROMWELL LLP

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*Attorneys for Defendants
The Goldman Sachs Group, Inc.
and Goldman, Sachs & Co.*

Attorneys for Plaintiff

SO ORDERED
DATED: Aug 6-08

UNITED STATES DISTRICT JUDGE